

FINDING OF NO SIGNIFICANT IMPACT
ENVIRONMENTAL ASSESSMENT:
OZARK HIGHLANDS TRAIL/BUFFALO RIVER TRAIL
EXTENSION PROJECT
BUFFALO NATIONAL RIVER
ARKANSAS

Agency: National Park Service, United States Department of Interior

Background: The National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508), and National Park Service (NPS) Director's Order 12 and Handbook (Conservation Planning and Environmental Impact Analysis and Decision Making) direct the NPS to consider the environmental consequences of major proposed actions. The NPS has conducted an Environmental Assessment (EA) that provides an analysis of the environmental consequences of developing an extension of the Ozark Highlands Trail/Bufalo River Trail through Buffalo National River.

Purpose and Need

The goal of the Environmental Assessment is to guide planning and decision-making for the proposed extension of the Ozark Highlands Trail, portions of which coincide with the current Buffalo River Trail (OHT/BRT) through Buffalo National River. To achieve this goal, public input has been incorporated into the planning process, a full range of alternatives has been developed, and park decision-makers have been provided with the potential environmental consequences of each alternative proposed. The need for the proposed OHT/BRT extension project is based on the Trail Plan - Buffalo National River/Arkansas (USDI-NPS, 1987) which was updated and superceded by the Buffalo National River Wilderness and Backcountry Management Plan (WBMP) (USDI-NPS, 1994). Both documents identify the need to address the eventual connection of the Ozark Highlands Trail through Buffalo National River. The WBMP stated the need to minimize new trail construction in the Lower Buffalo Wilderness (LBW). Planning for the OHT through the National River is needed at this time because the portions of the OHT in the vicinity of the park are already constructed. The availability of funding to pursue planning efforts has also prompted National River staff to address the issue at this time.

The purposes of the proposed trail extension project (OHT/BRT EA, pg.4) are to:

1. Address the request for a trail extension in support of the OHT.
2. Minimize new trail mileage through the Lower Buffalo Wilderness Unit.
3. Provide visitors with the added recreational opportunity of a long-distance trail.
4. Protect park resources from degradation caused by social and/or formal trails.

The first purpose of the project is to provide for the connection of two sections of the OHT. The EA examined alternatives that included building trail through Buffalo National River and the Lower Buffalo Wilderness.

The second purpose of the project is to minimize new trail mileage in the Lower Buffalo Wilderness in recognition of the WBMP and the intent and goals of the Wilderness Act. The Ponca Wilderness contains 28.5 miles of trails providing the public a trail system within one of Buffalo National River's wilderness units. The Lower Buffalo Wilderness is to be managed as a cohesive unit with the adjacent Leatherwood Wilderness, providing outstanding opportunities for solitude and the wilderness visitor with a very large tract of land untrammelled by man.

The third purpose of the project is to provide visitors with an additional recreational opportunity. Numerous hiking trail opportunities already exist at the park. The Buffalo River Trail, along the upper section of river from Boxley to Pruitt, is 36.5 miles long. It intersects a trail network with a total of 51.2 miles of additional maintained and recognized trail along this stretch, and many miles of primitive routes. The Ozark Highlands Trail is accessible from the Buffalo River Trail at Woolum. The Ozark Highlands Trail travels approximately 165 miles southwesterly from the Woolum Ford. The Buffalo River Trail travels east to Gilbert, an additional 18.6 miles. Previous park planning documents reflect the need to provide a long distance trail through the park as part of the OHT or as a park project.

The final purpose of the project is to protect park resources and values from degradation. This is a requirement of the NPS Organic Act and the Enabling Legislation for Buffalo National River. Resources and values which can be impacted directly and indirectly by trails include plant and animal communities, historic and archeological resources, and wilderness values, all of which were analyzed in the EA.

Preferred Alternative

Alternative B: Extension of the Buffalo River Trail South of Buffalo River to the Vicinity of Highway 14

Alternative B would utilize the existing Buffalo River Trail between Woolum and Highway 65. This trail is continuous between these two points, and open to both hiking and equestrian use. An extension of the Buffalo River Trail would be built south of the river from Highway 65 to the vicinity of Highway 14. No formal trail would be built through the Lower Buffalo Wilderness.

Implementation of Alternative B would require the construction of approximately 20 miles of new trail within Buffalo National River from Highway 65 to the vicinity of Highway 14 along the corridor of park lands south of the Buffalo River. The exact location of the new trail would be determined by Buffalo National River's trail staff and natural and cultural resource surveys prior to the construction of the trail.

Under this alternative, trails would be built to Hiking/Zone 3&4 Backcountry Trail standards (DOI-NPS Buffalo National River Wilderness and Backcountry Management Plan, 1994).

Briefly, the standards include: grades between 1-10% and up to 15% over short distances; tread widths of 18-24 inches; right-of-way clearings of a maximum of 8 feet high and 5 feet wide and; rustic signs. Trail maintenance would be accomplished annually by Buffalo National River trail crews and/or volunteer trail groups, the same as existing park trails. Volunteer trail groups under the supervision of Buffalo National River Trails Coordinator would accomplish the physical construction of the proposed OHT/BRT to the vicinity of Highway 14. Connecting the OHT between the Ozark National Forest and Highway 14 on public land, such as state and county road right-of-ways, is possible.

Alternative B includes the potential to build an OHT/BRT trail within the 240 acre parcel of non-wilderness park property in the southern half of Section 33, T17N-R14W to connect to other segments of the OHT, following adequate natural and cultural resource surveys. The parcel includes an existing parking lot and is defined by the boundary between Searcy and Marion Counties to the south, LBW to the north and east, and private land to the west. The parcel has existing primitive trails and old roads within it that could be adapted for OHT use with a minimum of construction. The parcel is included in this alternative to provide options for connecting the OHT from outside park property. The Wilderness and Backcountry Management Plan defines this small parcel as a Special Use Zone and any new trails could be installed and maintained in the manner described above.

Environmentally Preferred Alternative

The National Park Service is required to identify the environmentally preferred alternative for any of its proposed projects. That alternative is the alternative that will promote the national environmental policy expressed in NEPA (Section 101 (b)). This includes alternatives that:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
2. Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.
4. Preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment which supports diversity and variety of individual choice.
5. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities.
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

In essence, the environmentally preferred alternative would be the one that “causes the least damage to the biological and physical environment.” It also means “the alternative which best protects, preserves and enhances historic, cultural, and natural resources.”

In this case, the Proposed Action is the environmentally preferred alternative. This alternative meets the purpose and need of the environmental assessment. Trail would be constructed between Highway 65 and the vicinity of Highway 14 on the south side of the river, thus

meeting the purpose for a trail extension in support of the Ozark Highlands Trail. Trail would not be constructed in the Lower Buffalo Wilderness, meeting the purpose to minimize new trail mileage through this wilderness unit, and maintaining cohesive management actions with the adjacent Leatherwood Wilderness. Park visitors and OHT through-hikers would have the opportunity to hike a designated trail from Woolum to the Highway 14 area, which meets the purpose of providing visitors with the added recreational opportunity of a long-distance trail. Park resources and values would be protected from degradation by trail placement in areas where impacts would be minimized.

Other Alternatives Considered

Four other alternatives were examined in the EA. The other alternatives included:

Alternative A: No Action

Alternative C: Full Trail South of Buffalo River to United States Forest Service (USFS) Spring Creek

Alternative D: Trail North of Buffalo River to Highway 14

Alternative E: Full Trail to USFS Spring Creek (River Crossing)

Alternative A was not selected as the preferred alternative because it does not meet the purpose and need of the EA, and the purpose and need could be met by the preferred alternative without resulting in significant impacts to the natural, cultural, or human environment.

Alternative C was not selected as the preferred alternative since it would require construction of nearly nine miles of trail through the Lower Buffalo Wilderness and would not meet the minimum requirement guideline for wilderness management or the stated need to minimize new trail construction in the Lower Buffalo Wilderness. (The Minimum Requirement Decision Guide published by the Arthur Carhart National Wilderness Training Center and mandated by Director's Order #41 consists of a determination as to whether or not a proposed management action is appropriate or necessary for the administration of an area as wilderness).

Alternative D was not selected as the preferred alternative because a river crossing would be necessary at Highway 14, and the current bridge is not designed for pedestrian use. Pedestrian use of the traveled surfaces of the highway over the bridge would be unsafe because of the narrow nature of the bridge, the length of the bridge deck, and the blind curves on each end of the bridge.

Alternative E was not selected as the preferred alternative because of the river crossing issue at Highway 14 and the nine miles of trail that would have to be constructed in the Lower Buffalo Wilderness.

Rationale for Selection of the Preferred Alternative

Each of the alternatives considered in the EA, with the exception of the no-action alternative, meet the stated purpose and need for the Proposed Action. The choice of Alternative B was reached after a careful study of NPS wilderness management policies and guidelines, park planning documents, extensive review of public comments, and discussions of trail impacts on wilderness values with other NPS wilderness managers.

Trails are permanent management installations in wilderness. The Wilderness Act discourages development. However, NPS policies state that trails can be compatible with wilderness where such management action is necessary for resource protection and/or for providing for visitor use for the purposes of wilderness. The proposed OHT/BRT extension has essentially non-wilderness purposes. In this situation, the proposed trail through the Lower Buffalo Wilderness is intended neither for resource protection, nor to provide for visitor use for wilderness purposes. It is a small portion of a lengthy regional trail, a portion of which has been proposed to run through the Lower Buffalo Wilderness as a convenient option to other available alternatives for connecting existing trail segments.

The proposed trail is not necessary to provide for visitor use for the purposes of the Lower Buffalo Wilderness, since there are already several access points and many miles of old road traces available for public use. Development of this particular trail would not significantly increase the availability of this wilderness resource to the public.

The proposed trail is not necessary for resource protection. The EA determined there might be some social trail development in the LBW if a designated trail is not constructed, resulting in minimal to moderate impacts to wilderness values. The EA determined that developing a new trail through the LBW would create the potential for moderate impacts to wilderness values. Wilderness values are often intangible. They include natural quiet, outstanding opportunities for solitude, and outstanding opportunities for primitive and unconfined types of recreation. A section of a large regional hiking trail would increase use in this wilderness along the trail corridor. The trail would also create an inter-connected network of road traces and trails in wilderness where one does not currently exist.

NPS Management Policies (2001) chapter 6 and Directors Order #41: Wilderness Preservation and Management directs superintendents to manage wilderness within their parks in accordance with the Wilderness Act and any specific legislation applicable to their wilderness areas. It also requires park management to apply the Minimum Requirement/Minimum Tool Decision Process. Construction of this proposed trail within wilderness does not meet the minimum requirement test for management actions affecting wilderness.

Management Policies (2001) 6.3.3 states the National Park Service will seek to achieve consistency in wilderness management objectives, techniques, and practices on both an agency and an interagency basis. Routing the proposed trail through the Lower Buffalo Wilderness would be inconsistent with this policy by failing to manage the LBW in a unified

fashion with the adjacent USFS administered Leatherwood Wilderness. Avoiding new trail construction would be consistent with USFS decisions regarding the OHT and wilderness.

Routing the trail through the Lower Buffalo Wilderness would also be inconsistent with the goals and objectives of the Wilderness and Backcountry Management Plan by failing to minimize new trail construction in the LBW, and failing to manage the LBW in a consistent fashion with the adjacent Leatherwood Wilderness. Some of the public comments suggested failure to build the trail through the LBW is inconsistent with the goal of a continuous OHT concept. These comments generally did not acknowledge the many miles of private land the OHT will need to cross north of Norfolk, Arkansas, to connect with the Ozark Trail.

Context and Intensity of the Preferred Alternative

As defined in 40 CFR § 1508.27, from regulations of the Council on Environmental Quality (CEQ) that implement the provisions of NEPA, significance is determined by examining the following criteria:

Context

This action has long-term effects upon the management of Buffalo National River. It will provide an addition to the trail system through non-wilderness backcountry. This will result in a greater opportunity for the public to experience backcountry and allow for an additional opportunity to interpret park resources, values, and significance. It will require a long-term commitment to trail maintenance by the park and/or volunteer organizations. It may have long-term impact to plant communities from the possible spread of non-native species along the trail corridor. It may have long-term impact on bird species composition within the trail corridor. It will have minor short term impacts to subsurface cultural resources through the survey and construction process. It may have minor long-term impacts on above ground cultural resources from visitor activities. It will have negligible impact to wilderness values. There may be negative impacts to the private lands surrounding Buffalo National River if hikers stray out of the park. These impacts could include fence damage, illegal camping, and livestock disturbance. These impacts will be reduced significantly by constructing quality trail tread and adequately marking the trail. It will require organizers of the Ozark Highlands Trail system to find alternate routes around the Lower Buffalo Wilderness if they wish to make the connection with a maintained hiking trail.

Intensity

1. *Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*

There will be both beneficial and adverse impacts from the preferred alternative. Beneficial impacts include the increase in recreation opportunities for park visitors, and the protection of the wilderness values in the Lower Buffalo Wilderness. As the trail corridor is surveyed, further information will be gathered that will assist park managers to make decisions on future unrelated actions. The EA discusses these impacts in detail. None of these impacts are considered to reach the level of

significance. There will be minor adverse impacts to safety, park operations, natural resources, and cultural resources.

2. *The degree to which the proposed action affects public health or safety.*

When designing and constructing trails, human health and safety is of primary concern. This applies not only to the construction and maintenance crews but also to the trail user. Trails will be constructed and maintained to NPS Trail Standards to reduce the possibilities of visitor accidents. Whenever possible, trails will be routed away from potentially hazardous conditions and landforms such as bluffs, sinkholes, caves, deep creek crossings, and areas with large numbers of dead trees.

3. *Unique characteristics of the geographic areas such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

As described in the EA, the intent of the action alternatives is to provide the maximum amount of protection for the important natural and cultural resources, and values of the National River. The implementation of the preferred alternative would result in no significant adverse effects to cultural resources since these would be identified and avoided through cultural resource surveys prior to trail construction and maintenance activities. The preferred alternative will have only minor impact to rare and unique plant and animal communities because these will be identified before construction begins and will be avoided.

4. *The degree to which the possible effects on the quality of the human environment are likely to be highly controversial.*

There were no highly controversial impacts identified during the analysis done for the EA. During public scoping, there were no highly controversial issues identified. During the public review process concern was expressed about a number of issues. These included potential failure to make a connection to the Sylamore section of the OHT, potential impacts to wilderness, and the potential safety concerns for hikers traveling down public roadways. None of these issues, upon review, appear to have highly controversial effects to the human environment.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

During the analysis and public review of the EA, there were no unique or unknown risks associated with the preferred alternative identified. No highly uncertain effects associated with the preferred alternative were identified.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The preferred alternative does not establish a precedent for any future actions that may have significant effects, nor does it represent decisions about future considerations.

The purpose of this action is to fulfill the goals of the WBMP to determine where to run the BRT/OHT downstream from Highway 65.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

This action is related to the overall Ozark Highlands Trail/Trans-Ozark Trail concept. From analysis of the proposed alternatives for this project, it is not likely that the entire trail system will have a significant impact on the environment.

8. *The degree to which the action adversely affects districts, sites, highways, structures, or objects listed on the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historical resources.*

Potential impacts of the proposed action to historic structures and districts are confined to the Collier Homestead site located on the existing Buffalo River Trail. The Collier Homestead is currently in good condition with little or no past vandalism at this site associated with trail use. No new direct or indirect impacts are expected at the Collier Homestead by adding the additional mileage to the Buffalo River Trail. The State Historic Preservation Office concurs with this assessment. Before the actual trail route is designed on the ground, Buffalo National River staff will conduct cultural resource assessments of the trail route and consult with the SHPO on any mitigation measures needed.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

The U.S. Fish and Wildlife Service concurred with the determination of no effect on threatened or endangered species on January 27, 2003.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

This action violates no Federal, State, or local environmental protection law.

Impairment

In addition to reviewing the list of significance criteria, the National Park Service has determined that implementation of the proposal will not constitute an impairment to the critical resources and values of the national park. This conclusion is based on a thorough analysis of the environmental impacts described in the EA, public comment, relevant scientific studies, and the professional judgment of the decision-maker guided by the direction in NPS Management Policies 2001. The action under the preferred alternative will result in minor temporary adverse impacts to various park resources, and minor long-term adverse impacts to other park resources. Overall, the action results in benefits to park resources and values, opportunities for their enjoyment, and does not result in impairment.

Public Involvement

On February 21, 2001, Buffalo National River sent out a press release soliciting comments for the extension of the OHT through NPS property. The purpose of this comment solicitation was to begin development of preliminary alternatives. March 22, 2001, was set as the closing date for this comment period. Comments were received from 83 individuals, organizations, and agency representatives. These comments guided the development of the draft alternatives.

On October 9, 2001, Buffalo National River issued a press release advertising public open house meetings on the draft alternatives for the Ozark Highlands Trail within Buffalo National River. Open houses were held on October 22, 2001, in Mountain Home, Arkansas, October 23, 2001, in Little Rock, Arkansas, October 24, 2001, in Harrison, Arkansas, and October 25, 2001, in Fayetteville, Arkansas. The list of draft alternatives and associated documents were placed online. Comments were solicited for a period ending November 30, 2001, in order to provide a broad level of public participation. Comments were received from 192 individuals, organizations, and agencies. These comments were incorporated into the draft EA.

On September 15, 2003, Buffalo National River released the *Environmental Assessment: Ozark Highlands Trail/Buffalo River Trail Extension Project* to the public. Copies were mailed to individuals, organizations, and agencies who had responded in the first two scoping periods as well as state and federal legislators, and agencies. The original deadline for public comment was extended from October 15, 2003, to November 14, 2003. Over 770 comments were received from individuals, organizations, and agencies. These comments are summarized in the attached document, *Summary of Public Comments: Ozark Highlands Trail/Buffalo River Trail Extension Project*. These comments were considered in determining to implement the preferred alternative. Comments received were generally supportive of a trail on NPS property as long as private property rights are respected. Construction of trail in wilderness was a somewhat controversial issue. Following NPS management policies, and applying the Minimum Requirement decision process to the question of building the trail in wilderness, led to the selection of the Preferred Alternative.

Finding of No Significant Impact and No Impairment

The preferred alternative does not constitute an action that normally requires preparation of an environmental impact statement (EIS). The preferred alternative will not have significant effect on the human environment. Negative environmental impacts that could occur are generally negligible or minor in intensity. There are no significant impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the action will not violate any Federal, State, or local environmental protection law.

Based on my review of the facts and analysis contained in this environmental assessment, which is incorporated herein, I conclude that the preferred alternative for the extension of the OHT/BRT would not have a significant impact either by itself or considering cumulative

impacts. Accordingly, the requirements of the National Environmental Policy Act, regulations promulgated by the President's Council on Environmental Quality, and provisions of the NPS Director's Order – 12 and Handbook (Conservation Planning and Environmental Impact Analysis and Decision-Making) have been fulfilled. Furthermore, the Preferred Alternative selected for implementation would not impair park resources or values and would not violate the NPS Organic Act. The Preferred Alternative supports the park's enabling legislation and subsequent wilderness unit designations within the park. The EA will be incorporated as an amendment into the 1994 Wilderness and Backcountry Management Plan. An environmental impact statement is not required and will not be prepared for implementation of the preferred alternative.

Recommended:

Superintendent, Buffalo National River

Date

Approved:

Midwest Regional Director

Date